

April 26, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

Re: Senate Bill No. 2581 SD1

On April 25, 2006, Senate Bill No. 2581, entitled "Relating to the Backlog in Unserved Arrest Warrants" became law without my signature, pursuant to Section 16 of Article III of the State Constitution.

This bill seeks to reduce the backlog of unserved arrest warrants by (1) authorizing county police officers and public safety officers with police powers to serve arrest warrants, and (2) requiring the Attorney General to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, through which retired police officers or public safety officers may be authorized to serve arrest warrants.

It should be pointed out that county police officers and public safety officers already have the authority to serve arrest warrants. Hiring retired law enforcement personnel is also currently possible and these rehires could serve arrest warrants if the department that hired them has such authority.

While this bill assigns to the Attorney General responsibility for adopting administrative rules to provide for authorizing retired county police officers and retired State public safety officers to serve certain arrest warrants, it fails to specify which State entity is responsible for administering such a program.

Further, this bill does not appropriate funds to compensate retired officers and to supervise the service of the arrest warrants.

This bill, alone, will not accomplish the goal of reducing the backlog in unserved arrest warrants. It will be incumbent upon the next session of the Legislature to remedy the aforementioned shortcomings of this measure with legislation placing the program under the jurisdiction of an agency, such as the Judiciary, and providing funding commensurate to ensure its purpose is served.

Therefore, I allowed Senate Bill No. 2581 SD1 to become law as Act 28 effective April 25, 2006 without my signature.

Sincerely,

LINDA LINGLE